

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the City of Fremont to Construct a Pedestrian/Bicycle Path at Grade Across the Warm Springs Subdivision and the Milpitas Subdivision Union Pacific Railroad Company Branch Lines in the City of Fremont, Alameda County, State of California.

Application 01-05-001
(Filed May 1, 2001)

**ADMINISTRATIVE LAW JUDGE'S RULING
REVISING PROCEDURAL SCHEDULE**

Summary

This ruling revises the procedural schedule, and extends the time for filing of testimony by parties.

Discussion

The City of Fremont (Fremont) and the Union Pacific Railroad Company (Union Pacific) by letters of November 27, and 28, 2001, request an extension in the procedural schedule to provide an opportunity for parties to meet and explore the basis for a settlement. The letters propose a revised procedural schedule reflecting approximately a 30-day delay in the procedural schedule established in the Scoping Memo and Ruling of Assigned Commissioner, November 6, 2001.

In order to provide Fremont and Union Pacific an opportunity to explore the basis for a settlement in this proceeding, the procedural schedule is revised as follows:

Opening Testimony by Applicant	January 24, 2002
Opening Testimony by Other Parties	March 11, 2002
Evidentiary Hearings	April 2, 3, 4, 2002
Opening Briefs Due	May 3, 2002
Reply Briefs Due and Projected Submission	May 17, 2002

Therefore, **IT IS RULED** that the procedural schedule is revised as discussed in this ruling.

Dated December 3, 2002, at San Francisco, California.

/s/ Bruce DeBerry

Bruce DeBerry
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Revising Procedural Schedule on all parties of record in this proceeding or their attorneys of record.

Dated December 3, 2002, at San Francisco, California.

/s/ Antonina V. Swansen
Antonina V. Swansen

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.